



School Complaints Policy

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1. Complaints Policy Introduction

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to <Woodbridge Trust> about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

The difference between a concern and a complaint

A concern may be defined as *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*.

A complaint may be defined as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Woodbridge Trust takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Head of School will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Head of School will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, the School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher or Head of School. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual Trustees to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Complaints against school staff (except the Head of School) should be made in the first instance, to the Head of School via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the Head of School should be addressed to the Chair of Trustees, via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Trustees, any individual governor or the whole governing body should be addressed to the Clerk to the School Board via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the Head of School or Chair of Trustees, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

2. Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Woodbridge Trust, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"> Admissions to schools Statutory assessments of Special Educational Needs School re-organisation proposals 	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised at The One Stop Shop, in Bolton Town Hall. Tel No. 01204 333333</p>
<ul style="list-style-type: none"> Matters likely to require a Child Protection Investigation 	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has</p>

	local responsibility for safeguarding or the Multi-Agency Safeguarding Hub). Contact tel 01204 337479
<ul style="list-style-type: none"> Exclusion of children from school* 	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions .
<ul style="list-style-type: none"> Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Woodbridge Whistleblowing policy can be found at: http://woodbridgetrust.co.uk/policies/</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> Staff grievances 	Complaints from staff will be dealt with under the school's internal grievance procedures.
<ul style="list-style-type: none"> Staff conduct 	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> Complaints about services provided by other providers who may use school premises or facilities 	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
<ul style="list-style-type: none"> National Curriculum - content 	Please contact the Department for Education at: www.education.gov.uk/contactus

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Woodbridge Trust in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Resolving complaints

At each stage in the procedure, Woodbridge Trust wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

3. Trust Board Review

The Trust Board will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Complaints will not be shared with the whole Trust Board, except in very general terms, in case a complaints committee is required to be formed. Complaints information shared with the whole Trust Board will not normally name individuals.

If the whole Trust Board is aware of the substance of a complaint before the final stage has been completed, the school will arrange for an independent panel to hear the complaint. The Trust Board may make a formal approach to another school, to ask for help or the LA Trustee Services team. Guidance should be sought on the matter before a formal approach is made.

As well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to school improvement. When individual complaints are heard, any underlying issues that are identified will be addressed. The monitoring and review of complaints by the school and the Trust Board is seen as a useful tool in evaluating a school's performance and will be shared with the Senior Management Team in order for services to be improved.

4. Timeframes and Timeliness

Realistic timeframes for all aspects of the process are included within this procedure and should be adhered to at all stages. Where further investigation is required, new timeframes may be considered; however, details of these including an explanation will be provided to the complainant.

Complaints should be made as soon as possible after an incident arises and before three months have lapsed. After three months, the School will consider on an individual basis whether to consider exceptions to this.

5. Recording and Co-ordination of Complaints

Complainants will be requested to submit their complaint in writing by completing the enclosed 'School Complaints Form'. (Appendix 1) The School is mindful of their obligations under the Equality Act 2010 and requests for alternative methods of communication will be considered where appropriate. Suitable records of such communication will be required.

In order to prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls will be kept and a copy of any written response added to the record. Minutes of the Stage 4 Complaints Committee meeting must be taken.

The School will record the progress of the complaint and the final outcome. The Head of School or complaints co-ordinator will be responsible for these records and hold them centrally. Complainants have a right to copies of these records under the Freedom of Information Acts.

Schools may find it useful to have a complaints co-ordinator to ensure the smooth running of the complaints procedure and adequate recording of all stages of the process. This role may undertaken by the Head of School. It is expected that the role would include:

- ensuring that the complainant is fully updated at each stage of the procedure;
- ensure that all people involved in the complaints procedure will be aware of the legislation around complaints including the Equality Act 2010, General Data Protection Regulation (EU 2016/679) ("GDPR") and the UK Data Protection Act 2018 and Freedom of Information Act 2000;
- liaise with staff members, Head of School (if not undertaking the role), Chair of Trustees and Clerk to ensure the smooth running of the complaints procedure;
- keep records;
- be aware of issues such as sharing third party information and additional support that may be needed by complainants, including interpretation support.

6. Investigating and Resolving Complaints

The Investigator is the person(s) involved in Stages 1 to 4 of the procedure. At each stage, the person investigating the complaint will make sure that they:

- provide a comprehensive, open, transparent and fair consideration of the complaint through:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved;
 - consideration of records and other relevant information;
 - interviewing staff and children/young people and other people relevant to the complaint;
 - analysing information;
- effectively liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right;
- identifying solutions and recommending courses of action to resolve problems;
- being mindful of the timescales to respond; and
- responding to the complainant in plain and clear language.

The person investigating the complaint should make sure that they:

- conduct interviews with an open mind and be prepared to persist in the questioning;
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting.

7. Dealing with Unreasonable or Persistent Complaints

If properly followed, the complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied.

There are occasions when complaints become unreasonable and the school has a policy to deal with such situations. A copy of the *'Policy for Unreasonable Complaints'* is enclosed (appendix 2).

The School will do their best to be helpful to complainants; however, in cases where the school is contacted repeatedly by an individual making the same points, or who asks them to reconsider their position, the school will take appropriate action. It is a poor use of schools' time and resources to reply to repeated letters, emails or telephone calls making substantially the same points. If a complainant tries to re-open the same issue, the Chair of Trustees will inform the complainant that the procedure has been completed and that the matter is now closed.

If the complainant contacts the school again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and the school may choose not to respond.

8. Complaints Procedure – Stage 1 (informal)

Stage One: Complaint Heard by Staff Member

The vast majority of concerns can be resolved informally. There are many occasions where the class teacher, office staff, or the Head of School, can resolve concerns straight away. It is in everyone's best interests that complaints are resolved at the earliest possible stage. Complainants must feel able to raise their complaint with members of staff without any formality, either in person, by telephone or in writing. This allows staff to establish whether a person is asking a question, expressing an opinion or making a complaint.

The member of staff first contacted will clarify the nature of the complaint and re-assure the complainant that the school wants to hear about it. Once a complaint has been received by a member of staff they will determine whether they are the best person to resolve the complaint. The complaints co-ordinator should be informed of the complaint.

The School respect the views of any complainant and if they express a difficulty in discussing their complaint with a particular member of staff the complaints co-ordinator will refer the complainant to another member of staff.

Where the complaint concerns the Head of School, the complaints co-ordinator will refer the complainant to the Chair of Trustees.

If the complaint involves any child protection issue, the Head of School will inform the relevant Local Authority social care team or Local Authority Designated Officer (LADO).

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the complaints co-ordinator may consider referring the complainant to another staff member.

Once the complaint has been investigated the outcome will be communicated to the complainant and the complaints co-ordinator. The complaint will be responded to within 10 school days either verbally or in writing. The complainant must also be informed of what do next if they remain dissatisfied with the response.

If the complainant remains dissatisfied with the outcome of the investigation into their complaint they should write to the Head of School within 10 school days asking for your complaint to be investigated at stage 2.

9. Complaints Procedure – Stage 2 (formal)

Stage Two: Complaint Heard by Head of School

Formal complaints must be made to the Head of School (unless they are about the Head of School), via the school office. This may be done in person, in writing (preferably on the Complaint Form), or by telephone.

The Head of School will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Within this response, the Head of School will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Head of School can consider whether a face to face meeting is the most appropriate way of doing this.

Note: The Head of School may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

During the investigation, the Head of School (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Head of School will provide a formal written response within 10 school days of the date of receipt of the complaint.

If the Head of School is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Woodbridge Trust will take to resolve the complaint.

The Head of School will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about the Head of School, or a member of the trust board (including the Chair or Vice-Chair), a suitably skilled trustee will be appointed to complete all the actions at Stage 1.

Complaints about the Head of School or member of the trust board must be made to the Clerk, via the school office.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire trust board or
- the majority of the trust board

10. Complaints Procedure – Stage 3 (formal)

Stage Three: Complaint Heard by Chair of Trustees

Where a complainant remains dissatisfied with the outcome of a complaint at stage two they should write to the Chair of Trustees within 10 school days of receipt of the decision of the stage two investigation. The Chair of Trustees will first ensure that the complaint has been dealt with at stage two, and the complaint is covered by the school's complaints procedure not other procedures e.g. personnel or child protection. If not the matter will be referred back to the Head of School and the Chair of Trustees will write to the complainant advising them of the correct procedures.

Upon receipt of a letter notifying the complainant is not satisfied with the outcome of a stage two investigation, the Chair of Trustees will write acknowledging that the complaint has been received. At this point the Chair of Trustees will reinvestigate the complaint or/and offer mediation as a means of resolving the complaint. Mediation can be facilitated by the Chair of Trustees, or if it is felt to be more appropriate an external agency may be used such as The Bolton Information and Advisory Service for SEND, Bully Free-zone or a professional mediation service.

The complainant must be informed of the right to progress the complaint to stage 4 if they remain dissatisfied.

11. Complaints Procedure – Stage 4 (formal)

Stage Four: Complaint Heard by Trust Board Complaints Committee

If the complainant is dissatisfied with the outcome at Stage 3 and wishes to take the matter further, they can escalate the complaint to Stage 4– a meeting with members of the trust board's complaints committee, which will be formed of the first three, impartial, Trustees available. This is the final stage of the complaints procedure.

A request to escalate to Stage 4 must be made to the Clerk, via the school office, within 10 school days of receipt of the Stage 3 response.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 school days of receipt of the Stage 4 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complaints committee will consist of at least three Trustees with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three Trustees from Woodbridge Trust available, the Clerk will source any additional, independent Trustees through another local

school or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 4

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 5 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 5 school days before the meeting.

Any written material will be circulated to all parties at least 3 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 3 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and Woodbridge Trust with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Woodbridge Trust.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire trust board or
- the majority of the trust board

Stage 4 will be heard by a committee of independent Trustees sourced by the Clerk through another local school or through their LA's Governor Services team, in order to make up the committee. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Woodbridge Trust will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

12. Next Steps

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Education and Skills Funding Agency after they have completed Stage 4.

The Education and Skills Funding Agency will not normally reinvestigate the substance of complaints or overturn any decisions made by Woodbridge Trust. They will consider whether Woodbridge Trust has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at:

<https://www.gov.uk/government/organisations/education-and-skills-funding-agency/about>

Woodbridge Trust

School Complaints Form

Please complete and return to _____ (complaints co-ordinator) who will acknowledge receipt and explain what action will be taken

Surname: _____ **First Name:** _____ **Title:** _____

Address: _____

_____ **Postcode:** _____

Home Tel: _____ **Work Tel:** _____

Mobile: _____ **Email:** _____

Pupil's Name (if relevant): _____

Your relationship to pupil (if relevant): _____

1. Please give details of your complaint: (continue on a separate sheet if necessary)

Continued Overleaf...

2. What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the response?)

3. What actions do you feel might resolve the problem at this stage?

4. Are you attaching any paperwork? If so, please give details.

Signed: _____ **Date:** _____

After completion please email this form to: smalleyl@ladywood.bolton.sch.uk

or Post to: Ladywood School and Outreach Service
Masefield Road
Little Lever
Bolton
BL3 1NG

<p><u>OFFICIAL USE</u></p> <p>Date Acknowledgement Sent: _____</p> <p>Acknowledgement Sent by who: _____</p> <p>Complaint Referred to: _____</p> <p>Date: _____</p>

Policy for Unreasonable Complaints

Woodbridge Trust is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Woodbridge Trust defines unreasonable complainants as 'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'.

A complaint may be regarded as unreasonable when the person making the complaint:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
- seeks an unrealistic outcome;
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;

- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the Head of School or Chair of Trustees will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the Head of School will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from the School.

Barring from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the Head of School or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing. The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the Head of School or Chair of Trustees. However, complaints about barring cannot be escalated to the Department for Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

Adopted on: _____

For Review on: _____

Investigating Complaints – Interviewing Best Practice

Guidance for Schools

Children and Young People

- Children/young people should be interviewed in the presence of another member of staff, or in the case of serious complaints (e.g. where the possibility of criminal investigation exists) in the presence of their parents/carers. However, it might not always be possible to conduct an interview in case it prejudices a LADO or police investigation.
- Care should be taken in these circumstances not to create an intimidating atmosphere.
- Children/young people should be told what the interview is about and that they can have someone with them.

Staff / Witnesses

- Explain the complaint and your role clearly to the interviewee and confirm that they understand the complaints procedure and their role in it.
- Staff are allowed a colleague to support them at their interview. The colleague must not be anyone likely to be interviewed themselves, including their line manager.
- Use open, not leading questions.
- Do not express opinions in words or attitude.
- Ask single not multiple questions, i.e. one question at a time.
- Try to separate 'hearsay' evidence from fact by asking interviewees how they know a particular fact.
- Persist with questions if necessary. Do not be afraid to ask the same question twice. Make notes of each answer given.
- Deal with conflicting evidence by seeking corroborative evidence. If this is not available, discuss with the complaints co-ordinator/ Head of School/ Chair of Trustees the option of a meeting between the conflicting witnesses.
- Make a formal record of the interview from the written notes as soon as possible while the memory is fresh. Show the interviewee the formal record, ask if s/he has anything to add, and to sign the record as accurate.

Taken from the Department for Education's *'Best Practice Advice for School Complaints Procedures 2016'* – Departmental advice for maintained schools, maintained nursery schools and local authorities

Serial and Persistent Complaints – Guidance for Schools

Schools should do their best to be helpful to people who contact them with a complaint or concern or a request for information. However, in cases where a school is contacted repeatedly by an individual making the same points, or who asks them to reconsider their position, schools will need to act appropriately.

There will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. It is important for schools to recognise when they really have done everything they can in response to a complaint. It is a poor use of schools' time and resources to reply to repeated letters, emails or telephone calls making substantially the same points. If a complainant tries to re-open the same issue, the Chair of Trustees can inform them that the procedure has been completed and that the matter is now closed.

Under no circumstances should an individual be marked as serial for exercising their democratic right to refer their complaint to their local MP regardless of which stage the complaint has reached. The application of a 'serial or persistent' marking should be against the subject or complaint itself rather than the complainant.

Is it time to stop responding?

The decision to stop responding should never be taken lightly. A school needs to be able to say yes to all of the following:

- The school has taken every reasonable step to address the complainant's needs;
- The complainant has been given a clear statement of the school's position and their options (if any); and
- They are contacting the school repeatedly but making substantially the same points each time.
- The case is stronger if the school agrees with one or more of these statements:
- The school has reason to believe the individual is contacting them with the intention of causing disruption or inconvenience - have they actually said as much in a letter, email or telephone call?
- Their letters/emails/telephone calls are often or always abusive or aggressive.
- They make insulting personal comments about or threats towards staff.

Schools should not stop responding just because an individual is difficult to deal with or asks complex questions. In most circumstances the subject matter is what you can refuse to respond to, not the correspondent.

Schools must provide parents with the information they are entitled to under The Education (Pupil Information) (England) Regulations 2005.

However, where an individual's behaviour is causing a significant level of disruption schools may wish to implement a tailored communications strategy such as restricting them to a single point of contact via an email address or by limiting the number of times they make contact; e.g. a fixed number of contacts per term.

Complainants have a right to have any new complaint heard and failure to respond at all to a complainant could mean that the school is failing to comply with its legal obligations. A school needs to ensure that they are acting reasonably and that any genuine complaint can still be heard.

If school staff find it difficult to deal direct with a complainant because of their unreasonable behaviour and other strategies are not working, they may be able to approach the Trustee services team at their LA to ask for assistance. If this is agreed, complainants can be advised not to contact the school, but to communicate instead with the LA who will co-ordinate any response. Complainants who may have been restricted in their communications with the school can also be advised to ask a third party to act on their behalf, such as the local Citizen's Advice Bureau.

Ultimately, if a complainant persists to the point that the school considers it to constitute harassment, legal advice should be sought as to the next steps. In some cases, injunctions and other court orders have been issued to complainants because of their behaviours. Different procedures apply to FOI and Data Protection (DP) correspondence. You should talk to your FOI/DP advisor contact about those or approach the ICO for further advice.

Once a school has decided that it is appropriate to stop responding, they will need to let the complainant know; ideally, through a hard copy letter but an email will suffice.

Taken from the Department for Education's 'Best Practice Advice for School Complaints Procedures 2016' – Departmental advice for maintained schools, maintained nursery schools and local authorities.

Woodbridge Trust

School Complaints Procedure

Summary Guidance for Parents

Woodbridge Trust have a complaints procedure to ensure we respond to complaints as quickly and as effectively as possible. (a copy of the full policy can be obtained from the School)

This procedure is to deal with complaints relating to the school and any community facilities or services that the school provides. We value all comments about our school and we will endeavour to address your concerns or complaints at the earliest stage possible to prevent escalation to the formal stage and a protracted complaint that can be distressing for all involved.

When making a complaint it is important you identify your desired outcome, that is what actions you feel might resolve the problem at any stage. If the complaint concerns the Head of School or individual Trustees you should contact the Chair of Trustees directly in writing.

Stage One: Complaint Heard by Staff Member

The vast majority of concerns can be resolved informally. There are many occasions where the class teacher, office staff, or the Head of School, can resolve your concerns straight away. It is in everyone's best interests that complaints are resolved at the earliest possible stage.

Once the complaint has been investigated the outcome will be communicated to you. Your complaint will be responded to within 10 working days either verbally or in writing. If you remain dissatisfied with the outcome of the investigation into your complaint you should write to the Head of School within 10 days asking for your complaint to be investigated at stage 2.

Stage Two: Complaint Heard by Head of School

When a complaint is received at stage 2 it will be acknowledged within 5 school days. The Head of School will contact you to provide an opportunity to discuss your concerns and find possible solutions. This could be by phone or in a meeting. You may bring a friend, family member or advocate to any meeting if you wish.

The complaint will be investigated and a written response will be provided within 10 school days, unless the complaint is complicated and to allow for a full investigation to be carried out, an extension of 10 days may be granted. Where it is deemed necessary to apply an extension to the investigation period this will be communicated to you. You have the right to take the complaint to stage 3 if you remain dissatisfied.

Stage Three: Complaint Heard by the Chair of Trustees

You should write to the Chair of Trustees within 10 school days of receipt of the decision of the stage two investigation. Upon receipt of your letter the Chair of Trustees will write acknowledging receipt of your complaint. At this point the Chair of Trustees will investigate the complaint or/and offer mediation as a means of resolving the complaint. Mediation can be facilitated by the Chair of Trustees, or if it is felt to be more appropriate an external agency may be used such as The Bolton Information and Advisory Service for SEND, Bully Free-zone or a professional mediation service. The Chair will write to you to advise you of the outcome of their investigations. If you remain

dissatisfied with this outcome, you have the right to take the complaint to stage 4, Trust Board Complaints Committee.

Stage Four: Complaint Heard by Governing Board's Complaints Committee

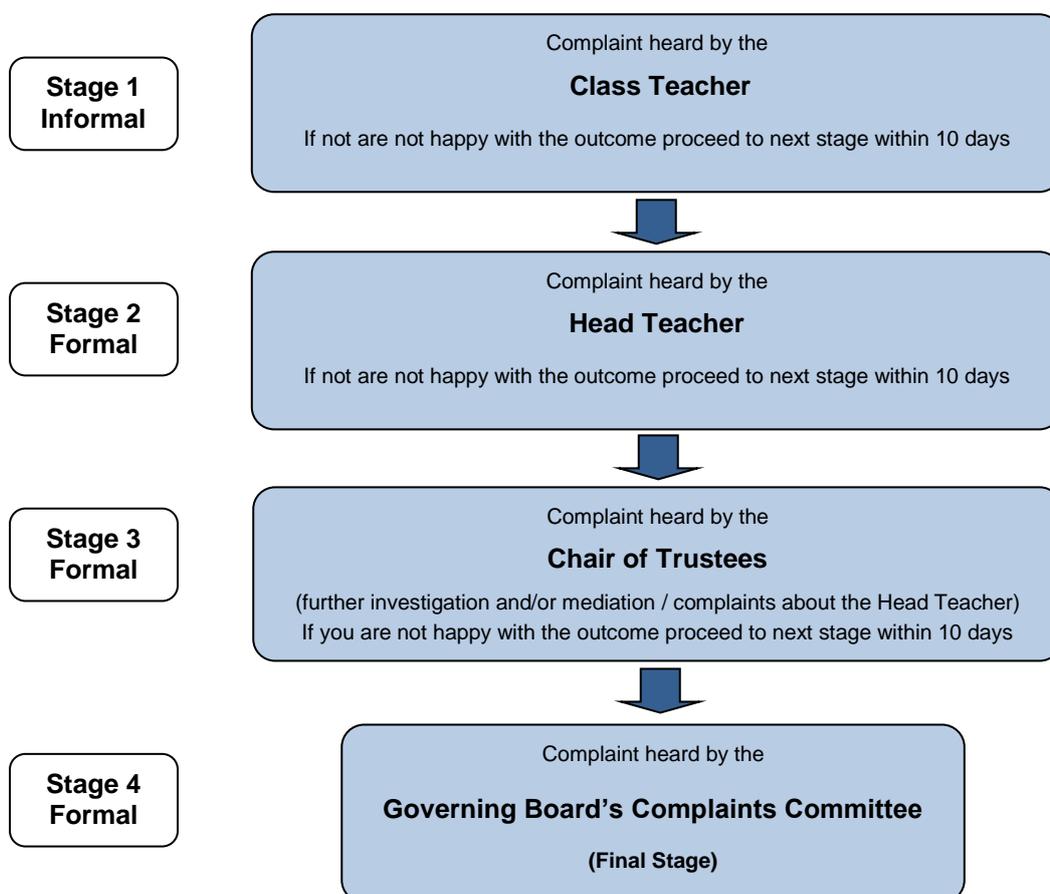
You should write to the Chair of Trustees within 10 school days of receipt of the decision of the stage three investigation/mediation. Upon receipt of your letter the Chair of Trustees will write acknowledging receipt of your wish to progress the complaint. You have the right to submit any further documents or information relevant to your complaint and the deadline for submission of these documents will be at least 5 days before the hearing.

The Clerk to the Committee will arrange for the Complaints Committee to be convened which will comprise of 3 or 5 Trustees who have no previous involvement with the complaint. The review hearing should be heard within 20 school days of receipt of your letter.

The Clerk to the Committee will write to inform you of the date and time of the hearing, giving a minimum of 5 days notice. All documents submitted will be circulated to all parties. You may bring a friend, family member or advocate to the meeting if you wish.

At the end of the meeting, the committee will decide whether to dismiss the complaint in whole or in part, to uphold the complaint in whole or in part, decide on the appropriate action to be taken to resolve the complaint and recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur. A written response detailing the decisions, recommendations and the basis on which these have been made will be sent to you and the Head of School within 5 school days. The decision of the Committee is final.

The following diagram details the stages you should follow in the event of a complaint:



Woodbridge Trust

School Complaints Procedure

Summary Guidance for Trustees – Formal Stage 4

Woodbridge Trust have a complaints procedure to ensure we respond to complaints as quickly and as effectively as possible. (a copy of the full policy can be obtained from the School)

If the Head of School/Chair of Trustees is unable to resolve the matter at Stage Two or Three, the complaint can be referred to a Complaints Committee appointed by Trust Board. The aim of the hearing is to establish any areas of agreement and identify actions that can be taken to resolve the complaint. The Trust Board may nominate a number of members with delegated powers to hear complaints at that stage, and set out its terms of reference. These can include:

- drawing up its procedures;
- hearing individual appeals;
- making recommendations on policy as a result of complaints.

The procedure adopted by the committee for hearing appeals would normally be part of the school's complaints procedure. The committee can be drawn from the nominated members and may consist of three or five Trustees but must include an independent member. The committee may choose its own chair.

The Remit of the Complaints Committee

The committee has delegated powers to:

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Decide on the appropriate action to be taken to resolve the complaint
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

There are several points which any Trustee sitting on a complaints committee needs to remember:

- It is important that the appeal hearing is independent and impartial and that it is seen to be so. No Trustee may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the committee, Trustees need to try and ensure that it is a cross-section of the categories of Trustee and sensitive to the issues of race, gender and religious affiliation.
- The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- An effective committee will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The committee Chair will ensure that the proceedings are as welcoming as possible.

The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.

- Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The committee needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.

Role of the Chair of the Complaints Committee

The Chair of the Committee has a key role, ensuring that:

- the remit of the committee is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- the committee is open minded and acting independently;
- no member of the committee has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- each side is given the opportunity to state their case and ask questions;
- written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

Checklist for a Complaints Committee Hearing

The committee needs to take the following points into account:

- The committee needs to take the following points into account:
- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Head of School may question both the complainant and the witnesses after each has spoken.
- The Head of School is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Head of School and the witnesses after each has spoken.
- The committee may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Head of School is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the committee decides on the issues.
- The Chair explains that both parties will hear from the committee within a set time scale.

Notification of the Committee's Decision

The chair of the committee needs to ensure that the complainant is notified of the committee's decision, in writing, with the committee's response; this is usually will be within 5 days of the date of the hearing. The letter needs to explain if there are any further rights of appeal and if so, to whom they need to be addressed. This could be the Secretary of State, Ofsted, The Diocese or Welfare School.